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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/601,905	06/23/2003	Winnie Wong	ALPINE.030AUS	7575

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EXAMINER

LOUIS JACQUES, JACQUES H

ART UNIT PAPER NUMBER

3661

DATE MAILED: 01/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/601,905

Applicant(s)

WONG, WINNIE

Examiner

Jacques H Louis-Jacques

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 13 September 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Campbell [US 2004/0008225].

Campbell discloses a method, apparatus, and computer program product for providing a graphical user interface with a linear map component, wherein points of interest (POIs) along a specified street (e.g., a route or travel path) are displayed and wherein the POIs are stored in a database. For example, as shown in figures 6A-6D and figure 8, Campbell discloses a list of POIs (e.g., Jin's service, Town Flowers, First Savings Bank, Upland Pharmacy, etc.) along a specified street (e.g., Center Ave). See also figures 10, 34, and 35. Figure 7 also depicts a list of POIs along a selected street. Figure 12 refers to a

database for storing the POIs. More particularly, Figure 13 shows inputting a desired street name (step 204) and retrieving the street name from a database (38). See also figure 38. Furthermore, Figure 31 shows that the database (38) includes a list of POIs wherein a list of POIs is retrieved (step 351) from the database. Campbell further discloses specifying a name of a city (e.g., Manhattan) and retrieving POIs along a specified street with the specified city. See figures 13-17. The system, according to Campbell, can retrieve POIs along an entire range of the specified street or along the specified street within a specified city. See figures 7-9 and, in particular, figure 35. Campbell also discloses intersecting streets and displaying or retrieving POIs along the specified street between the intersecting streets. See figures 8, 10, 34 and 35.

### *Response to Amendments & Arguments*

3. The amendments along with the arguments filed therewith on September 13, 2004 have been entered and carefully considered by the examiner.

In particular, Applicant has amended the claims to recite “the use of a POI database where POIs are selectable by specifying either a place type or a place name” and a name of a street is specified to retrieve POIs “located” along the “specified” street. Emphasis added.

Applicant argued with respect to the applied prior art references that neither Kadaba et al nor Yokata discloses “a navigation system that retrieves POIs located along a specified street or a part of the specified street.”

In figures 2D-2F, Yokata provides the listing of POIs located on a specified street. Furthermore, in figure 3, Yokata provides a POI database (45). In addition, Yokata discloses selecting or searching for a POI by specifying either a place type or a place name (figure 5A). While Yokata does not specifically mention a database of POIs along a specified street, such database is apparent from the figures. However, notwithstanding Applicant's arguments and in light of the amendments to the claims, the patent publication to Campbell has been applied for disclosing such feature.

Campbell discloses a method, apparatus, and computer program product for providing a graphical user interface with a linear map component, wherein points of interest (POIs) along a specified street (e.g., a route or travel path) are displayed and wherein the POIs are stored in a database. For example, as shown in figures 6A-6D and figure 8, Campbell discloses a list of POIs (e.g., Jin's service, Town Flowers, First Savings Bank, Upland Pharmacy, etc.) along a specified street (e.g., Center Ave). See also figures 10, 34, and 35. Figure 7 also depicts a list of POIs along a selected street. Figure 12 refers to a database for storing the POIs. More particularly, Figure 13 shows inputting a desired street name (step 204) and retrieving the street name from a database (38). See also figure 38. Furthermore, Figure 31 shows that the database (38) includes a list of POIs wherein a list of POIs is retrieved (step 351) from the database. Campbell further discloses specifying a name of a city (e.g., Manhattan) and retrieving POIs along a specified street with the specified city. See figures 13-17. The system, according to Campbell, can retrieve POIs along an entire range of the specified street or along the specified street within a specified city. See figures 7-9 and, in particular, figure 35. Campbell also

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discloses intersecting streets and displaying or retrieving POIs along the specified street between the intersecting streets. See figures 8, 10, 34 and 35.

In light of the above, the claims, as amended, are found to be unpatentable over the prior art. Accordingly, the claims are rejected and this office action is made final as necessitated by the amendments.

### *Conclusion*

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

5,680,312

Oshizawa et al

Oct. 1997

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacques H Louis-Jacques whose telephone number is 703-305-9757. The examiner can normally be reached on M-Th 6:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black can be reached on 703-305-8233. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jacques H Louis-Jacques  
Primary Examiner  
Art Unit 3661

/jlj

  
JACQUES H. LOUIS-JACQUES  
PRIMARY EXAMINER